

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOSHUA J. CHEEK,

Plaintiff,

v.

Case No. 20-C-182

CORINNA LUNDQUIST, et al.,

Defendants.

ORDER

Plaintiff Joshua Cheek, who is currently representing himself in this action filed under 42 U.S.C. § 1983, has submitted a second proposed amended complaint. Dkt. No. 25. The court previously denied Plaintiff's motion to add claims, Dkt. No. 11, letter requesting to add claims, Dkt. No. 18, and first proposed amended complaint, Dkt. No. 22, because each failed to comply with the Federal Rules of Civil Procedure or this court's Civil Local Rules regarding amended pleadings.

Plaintiff's second proposed amended complaint suffers from the same problems. As noted in the previous order striking Plaintiff's first proposed amended complaint, Rule 15(a)(1) of the Federal Rules of Civil Procedure provides that a "party may amend its pleading once as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading." Plaintiff signed his second proposed amended complaint on June 22, 2020, within the 21-day period. He therefore does not require the court's leave to amend his pleading. But the court will again exercise its authority to screen his second proposed amended complaint.

As with his first proposed amended complaint, Plaintiff's second proposed amended complaint must be stricken. Plaintiff reiterates his First Amendment claims against defendant Corinna Lundquist on which the court has allowed Plaintiff to proceed. But to those claims he seeks to add unrelated claims against unrelated defendants. These appear to be the same claims he attempted to bring in previous filings. As the court has repeatedly explained, those unrelated claims must be brought in a separate lawsuit. Dkt. No. 7 at 2–3 (citing *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007); Fed. R. Civ. P. 18(a)); Dkt. No. 13 at 2 (same); Dkt. No. 24 at 2–3 (same). Plaintiff's second proposed amended complaint (Dkt. No. 25) will therefore be stricken. His initial complaint (Dkt. No. 1) remains the operative complaint in this case.

SO ORDERED at Green Bay, Wisconsin this 5th day of August, 2020.

s/ William C. Griesbach

William C. Griesbach
United States District Judge